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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       MARK WAYNE CLARK,                           ) CASE NO. C04-1647-JCC-MAT  
10   ) )  
11       Plaintiff,                                      ) ORDER RE: PLAINTIFF'S  
12   ) MOTION FOR CLARIFICATION  
13       v.    ) )  
14       DEAN MASON, et al.,                           ) )  
15   ) )  
16       Defendants.                                     ) )  
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On August 23, 2006, the Court issued an Order that denied plaintiff's motion for leave to conduct more than ten depositions pursuant to Rule 30(a)(2)(A) of the Federal Rules of Civil Procedure ("Rule 30"). (Dkt. #191). Plaintiff moved for reconsideration and on September 29, 2006, the Court denied the motion for reconsideration. (Dkt. #197). Plaintiff has recently submitted a letter to the Clerk asking whether the Court's prior Order limiting him to ten depositions pertains only to depositions of defendants, or applies to depositions of any person. (Dkt. #198). The Court construes this letter as a motion for clarification. Having considered the motion and the balance of the record, the Court does hereby find and ORDER as follows:

(1) The Court finds no basis in the text of Rule 30 to apply the ten-deposition limit to

01 only defendants. Accordingly, the Court's prior Order limiting plaintiff to ten depositions applies  
02 to depositions of any person.

03 (2) The Clerk is directed to send a copy of this Order to plaintiff, to counsel for  
04 defendants, and to the Honorable John C. Coughenour.

05 DATED this 16th day of October, 2006.

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08 Mary Alice Theiler  
09 United States Magistrate Judge  
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